

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NORMAN GERALD DANIELS, III,

Petitioner,

No. 2:04-cv-2337 FCD JFM (HC)

vs.

DERRAL G. ADAMS,

Respondent.

ORDER

Petitioner, a state prisoner proceeding pro se, has filed this application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On September 29, 2008, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty days. On November 3, 2008, petitioner filed objections to the findings and recommendations, along with a request that the court consider his objections timely filed. Good cause appearing, petitioner's request will be granted.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a de novo review of this case. Having carefully reviewed the

1 entire file, the court finds the findings and recommendations to be supported by the record and
2 by proper analysis.

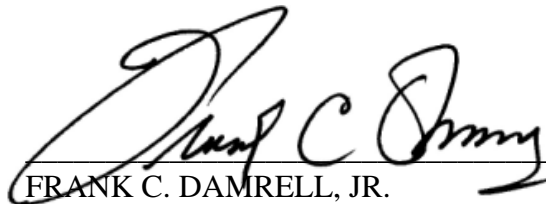
3 Accordingly, IT IS HEREBY ORDERED that:

4 1. Petitioner's November 3, 2008 request for extension of time is granted and his
5 November 3, 2008 objections are deemed timely-filed;

6 2. The findings and recommendations filed September 29, 2008, are adopted in
7 full; and

8 3. Petitioner's application for a writ of habeas corpus is denied.

9 DATED: November 13, 2008.

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12 FRANK C. DAMRELL, JR.
13 UNITED STATES DISTRICT JUDGE
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